

INTERNAL EEO COMPLAINT PROCESS

1422

(No.26 January 2013)

Government Code §[19702](#)

Government Code §[19794\(b\)](#)

CAL FIRE's internal EEO complaint process encourages early intervention and resolution with multiple points of contact for receiving EEO complaints. When an employee has a concern about a possible violation of CAL FIRE's EEO policy, he or she is encouraged to attempt to resolve the matter as soon as possible by utilizing the resources available.

Within 365 days of the last discriminatory act, an employee may discuss the matter with or submit an Internal Employment Discrimination Complaint form (AA-8), memorandum, or letter to a CAL FIRE supervisor or manager, EEO Counselor, Region EEO manager or Sacramento EEO Office staff. All complaints must be forwarded to the Sacramento EEO Office.

- No employee is required to contact his or her supervisor or go through the chain of command to make an EEO complaint.
- No employee is required to confront the person(s) engaged in the objectionable conduct either before or after filing an EEO complaint.

Internal EEO complaints are managed by the Sacramento EEO Office staff. They perform intake analyses; determine if the complaints are within the Department's jurisdiction, if the complaints meet EEO criteria, and if the complainant's Region and Unit Chief or program Deputy Director needs to be briefed. This enables the Region and Unit Chief or program Deputy Director to take immediate and effective action to address issues of improper/objectable conduct. The actions taken may include mediation, reassignment or relocation of employees, corrective counseling, or other appropriate measures.

If an EEO investigation is required, an investigator is assigned and managed by Sacramento EEO Office staff. At the completion of the investigation, a case report is submitted to the EEO Officer. The case report is reviewed by the EEO Officer and legal counsel. When warranted, the EEO Officer and legal counsel recommend remedial action to the appropriate Region and Unit Chief or program Deputy Director.

In complaints alleging discrimination based on medical condition or physical or mental disability, the State Personnel Board will accept appeals in the following circumstances;

- The Department has failed to complete and provide investigation findings within 90 days of the receipt of complaint. The complainant is dissatisfied with the results of the investigation.

- He or she may appeal the Department's decision within 30 days of receipt of the Department's closure notice.

[\(see Next Section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)